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PUBLIC SCHOOL LAW
OF
NORTH CAROLINA.

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PUBLIC SCHOOL LAW

OF

NORTH CAROLINA.

CHAPTER 15 OF THE CODE, AS AMENDED BY LAWS OF 1885,
1889, 1891 AND 1893, AND OTHER STATUTES.

ISSUED IN PURSUANCE OF LAW
BY THE
SUPERINTENDENT OF PUBLIC INSTRUCTION.



RALEIGH:
JOSEPHUS DANIELS, State Printer and Binder.
Presses of Edwards & Broughton.
1893.

1893



PREFACE.

Section 2540 of The Code requires the Superintendent of Public Instruction to "have the school laws published in pamphlet form and distributed on or before the first day of April of each year." As the Assembly meets only biennially, this edition will embody the law for two years, and until changed by future sessions of the Assembly.

Chapter 15 of The Code contained the public school law in full. Since its enactment, the only changes are those made by the Assemblies of 1885, 1889, 1891 and 1893. So far as these changes are amendments to the *sections of The Code*, they are embodied in sections of the same numbers in this edition of the school law. Other changes will be found in this pamphlet under the appropriate headings. Attention is called to the list of books adopted by the State Board of Education, and to the statute requiring these books to be used in all the public schools.

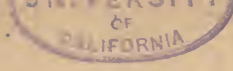
For convenience of reference, the explanations and instructions of the Superintendent of Public Instruction are placed in the form of foot-notes on the same pages containing the corresponding sections of the law.

Copies of this pamphlet will be furnished to all the school officers. Upon going out of office, they will deliver them and all books and blanks to their successors.

JOHN C. SCARBOROUGH,
Superintendent of Public Instruction.

RALEIGH, N. C., August 1, 1893.





PUBLIC SCHOOL LAW
OF
NORTH CAROLINA.

FROM THE CODE, AS AMENDED BY LAWS OF 1885, 1889, 1891
AND 1893, WITH NOTES AND INSTRUCTIONS BY THE
SUPERINTENDENT OF PUBLIC INSTRUCTION.

Sec. 2535. Apportionment of school fund.

The state board of education shall, on the first Monday in August of each and every year, apportion among the several counties of the state all the school funds which may be then in the treasury of the said board, and order a warrant for the full apportionment to each county, which said apportionment shall be made on the basis of the school population.

Sec. 2536. Auditor to keep separate account of public school fund.

The state auditor shall keep a separate and distinct account of the public school funds, and of the interest and income thereof, and also of such moneys as may be raised by state, county and capitation tax, or otherwise, for school purposes.

Sec. 2537. When and how warrant issued for school fund due any county.

Upon the receipt of the requisition of the treasurer of any county, duly approved by the chairman and secretary of the county board of education, for the school fund which may have been apportioned to said county, the state board of education shall issue its warrant on the state auditor for the sum due said county; whereupon the said auditor shall draw his warrant on the treasurer of the state board of education in favor of such county treasurer for the amount set forth in the warrant of the said state board.

Sec. 2538. State treasurer to hold school funds as a special deposit ; when and how paid out.

The state treasurer shall receive and hold as a special deposit all school funds paid into the treasury, and pay them out only on the warrant of the state auditor, issued on the order of the state board of education in favor of a county treasurer, duly indorsed by the county treasurer in whose favor it is drawn, and it shall be the only valid voucher in the hands of the state treasurer for the disbursement of school funds.

Sec. 2539. Board to recommend text-books to be used in public schools ; proviso.

The state board of education shall recommend a series of text-books to be used in the public schools for a term of three years, and until otherwise ordered: *Provided*, the county board of education shall take care that changes from books now in use to those recommended do not work great inconvenience or expense to parents, guardians or pupils: *Provided further*, no sectarian or political books shall be used in the public schools: *Provided, also*, the prices of the books recommended be fixed by the state board of education for the whole term for which they shall be used.

NOTE.—See appendix for information and instructions on this subject. Also section 22, chapter 199, Acts of 1889.

Sec. 2540. Duties of superintendent of public instruction.

The superintendent of public instruction shall have the school laws published in pamphlet form and distributed on or before the first day of April of each year; shall have printed all the forms necessary and proper for the purposes of this chapter, and shall look after the school interest of the state, and report biennially to the governor, at least five days previous to each regular session of the general assembly, which report shall give information and statistics of the public schools, and recommend such improvement in the school law as may occur to him. He shall keep his office at

the seat of government, and shall sign all requisitions on the auditor for the payment of money out of the state treasury for school purposes. Copies of his acts and decisions, and of all papers kept in his office and authenticated by his signature and official seal, shall be of the same force and validity as the original. He shall be furnished with such room, fuel and stationery as shall be necessary for the efficient discharge of the duties of his office.

Sec. 2541. Duty of superintendent to direct operations of system of public schools, etc.

The superintendent of public instruction shall direct the operations of the system of public schools and enforce the laws and regulations in relation thereto. It shall be his duty to correspond with leading educators in other states, and to investigate the systems of public schools established in other states, and, as far as practicable, render the results of educational efforts and experiences available for the information and aid of the legislature and state board of education.

Sec. 2542. (As amended by the Laws of 1885 and 1889.) Duty of superintendent to learn and supply educational wants, etc. ; expenses allowed.

It shall be the duty of the superintendent of public instruction to acquaint himself with the peculiar educational wants of the several sections of the state, and he shall take all proper means to supply said wants, by counseling with county boards of education and county superintendents, by lectures before teachers' institutes, and by addresses to public assemblies on subjects relating to public schools and public school work, and he shall be allowed for traveling expenses and for additional clerical assistance five hundred dollars per annum.

Sec. 2543. Funds appropriated for establishing and maintaining system of free schools to be paid into state treasury.

The proceeds of all lands that have been or may hereafter be granted by the United States to this state, and not other-

wise appropriated by this state or the United States, also all moneys, stocks, bonds and any other property now belonging to any state fund, for the purposes of education, also the net proceeds of sales of swamp lands belonging to the state, and all other grants, gifts or devises that have been made or hereafter may be made to this state, and not otherwise appropriated by this state or by the terms of the grant, gift or devise, shall be paid into the state treasury, and, together with so much of the ordinary revenue of the state as may be set apart for that purpose, shall be faithfully appropriated for establishing and maintaining a system of free public schools, as established in pursuance of the constitution.

Sec. 2544. (As amended by chapter 199, Laws of 1889.) Funds so appropriated to be paid into county school fund.

All moneys, stocks, bonds and other property belonging to a county school fund, also the net proceeds from sales of estrays, also the clear proceeds of all penalties and forfeitures, and of all fines collected in the several counties for any breach of the penal or military laws of the state; and all moneys which shall be paid by persons as equivalent for exemption from military duties; also the net proceeds of any tax imposed on licenses to retailers of wines, cordials or spirituous liquors and to auctioneers, shall belong to and remain in the several counties and shall be faithfully appropriated for establishing and maintaining free public schools in the several counties as established in pursuance of the constitution: *Provided*, the amount collected in each county shall be reported annually to the state superintendent of public instruction. The solicitors of the several judicial districts, criminal and inferior courts, shall prosecute all penalties and forfeited recognizances entered in their courts respectively, and as compensation for their services, shall receive a sum to be fixed by the court, not less than five per centum of the amount collected upon such penalty or forfeited recognizance for the collection of which execution was found to be necessary.

NOTE.—Special attention is called to sections 724, 725, 726, 727, 728, 764, 906 and 3678 of The Code. Treasurers and county boards of education will use all proper means to see that the full amount of fines, forfeitures and penalties and the liquor tax due shall go to the school fund. Their attention is also directed to the constitution, article 9, section 5, and to Revenue Act of 1893, sections 42 and 43, as follows:

“SECTION 42. Whenever any officer, including justices of the peace, receives or collects a fine, penalty or forfeiture in behalf of the state, or any tax imposed on licenses to retailers of wines, cordials malt or spirituous liquors and auctioneers, he shall within thirty days after such reception or collection pay over and account for the same to the treasurer of the county board of education for the benefit of the fund for common schools in such county.

“SECTION 43. Any officer, including justices of the peace, convicted of violating the preceding section, or of appropriating to his own use the state, county, school, city or town taxes, shall be guilty of embezzlement, and may be punished not exceeding five years in the state prison, at the discretion of the court.”

A large amount of school money is derived from fines, forfeitures and penalties, and from taxes on the licenses for the sale of liquors. I am satisfied that a still larger amount may be obtained from these sources by a strict enforcement of the law. See section 33, Revenue Act of 1893.

All forfeited recognizances belong to the school fund, and school officers should see that they are collected.

Section 1225 of The Code makes it the duty of the solicitor, under the direction of the court, to prosecute to collection any forfeited recognizance under a *peace* warrant. The last part of section 2544 is an amendment by Acts of 1889, and provides specially for the prosecution of forfeitures.

Sec. 2545. (As amended by the Laws of 1885 and 1889.) County board of education; officers.

The justices of the peace and the county commissioners of each county, at their next regular joint session as provided by law, and biennially thereafter at such regular joint session, shall elect a county board of education, to consist of three residents of their county, who shall be men of good moral character, and who shall be qualified by education and experience and interest to specially further the public educational interests of their county. They shall file with the county commissioners an oath to faithfully discharge the duties of their office. Those first elected shall file such oath

on the first Monday of the month next succeeding their election, and shall hold their office until the first Monday in December, eighteen hundred and eighty-seven, and until their successors are elected and qualified. From and after the said first Monday in December, one thousand eight hundred and eighty-seven, the regular term of office shall be two years. They shall elect one of their number chairman, and the county superintendent of public instruction shall be secretary, and the county treasurer shall be treasurer of said board. The secretary shall record all the proceedings of the board in books to be supplied by the state superintendent of public instruction. A majority of the board shall constitute a quorum for the transaction of business. The compensation of each member of the board shall be not exceeding two dollars per day and the mileage allowed to county commissioners. The county commissioners shall provide a suitable office for said board at the county seat. Any vacancies in the board shall be filled by the county commissioners. The said board shall be a body corporate, with power to sue and be sued, and to take, receive and convey property, real and personal, for the purpose of more effectually performing the duties imposed upon them.

NOTE.—It will be seen by reference to section 717 of The Code, that the justices of the peace and the county commissioners are required to hold a joint meeting on the first Monday in June of every year. In June, 1889, at this joint meeting, and every two years thereafter, the justices and the commissioners are required to elect a county board of education. Too much importance cannot well be attached to this election. Upon a judicious selection of competent men will depend the welfare of the educational interest of the county. The law gives them large discretion in the management of the funds and school matters generally, and therefore an earnest appeal is made to the joint boards to select men of wisdom, and men who are specially friendly to the public-school interests. The policy of the law as amended by the Assembly of 1885, and now in force, contemplates vesting in the respective counties more authority in the management of school affairs than has heretofore obtained. Counties that use this authority wisely will rapidly advance their educational interests, and an efficient county board of education is of first importance, the chairman of which should be competent to act as county superintendent in case of a vacancy in that office.

See section two (2), chapter 199, Laws 1889, which requires the members of the boards to qualify and term begin on the first day of July, after their election in June.

Sec. 2546. (As amended by the Laws of 1885 and 1889.) Duties of county board of education.

The county board of education shall be charged with the general management of the public schools in their respective counties, shall decide all controversies and questions relating to the boundaries of school districts and to the location of school-houses, or which may arise upon the construction of the school law, and shall see that the school law is enforced; and shall have power and authority and it shall be their duty to institute and prosecute any and all actions, suits or proceedings against any and all officers, persons or corporations, and their sureties, for the recovery, preservation and application of all moneys or property which may be due to or should be applied to the support and maintenance of the schools, and the county board shall obey the instructions of the state superintendent and accept his construction of the school law.

NOTE.—The language of this section gives to county boards a wide range of powers and duties. It is earnestly urged that they be so exercised as to accomplish the greatest good to the school system possible, and that the county superintendents, as executive officers of the school system of their respective counties, will be kept as fully employed as possible in visitation and minute supervision of the schools, in the organization and improvement of the teachers, and in all other work conducive to the progress of the schools and to the cultivation of a spirit of progressive education among the whole people. In the settlement of the "questions and controversies" mentioned in this section, there is room for the exercise of the highest wisdom, that the interest of the public schools may not suffer by reason of neighborhood quarrels, which always result in harm to all public interests, especially to those of the schools.

Sec. 2547. (As amended by chapter 174, section 4, Laws of 1885, and chapter 460, section 1, Laws of 1891, and chapter 483, section 1, Laws of 1893.) Meetings of county board of education; books of county treasurer examined.

The county board of education of each county shall hold four regular meetings every year, namely, on the first Mon-

days of January, June, July and September, at each of which meetings, if the board find it necessary, in order to enable them to dispose of the business before them, they may be in session for two days. Meetings may be held at other times at the call of the chairman upon the request of one member of the board, but in no case shall the board receive compensation out of the public funds for more than four days in any one year. At each regular meeting it shall be the duty of the board to examine the books and vouchers of the county treasurer and to audit his accounts.

NOTE.—County boards of education are, under my construction of the above section, entitled to receive pay for all days served in regular meetings under the law, “necessary for disposing of the business before them.” For “meetings held at other times,” the pay is limited to four days in any one year.

Sec. 2548. (As amended by the Laws of 1885, and chapter 199, section 3, Laws of 1889.) County superintendent of public instruction; term of office; election biennial; vacancies; secretary to report name, etc., to the state superintendent; suspension and removal of county superintendent; powers of school committee.

The county board of education, county commissioners and the justices of the peace, in joint session on the day of the annual meeting of the justices in the year eighteen hundred and eighty-six, and biennially thereafter on the day of such annual meeting, shall elect one resident of their county, who shall be county superintendent of public instruction. He shall be of good moral character, liberal education, and he shall otherwise be qualified to discharge the duties of the office as required by law, due regard being given to experience in teaching. He shall hold office for the term of two years from and after the first Monday in July next after his election, and until his successor is elected and qualified, and shall file with the county commissioners an oath to faithfully discharge the duties of his office. The county board of education and the county commissioners in joint session may, for good cause, after thirty days' notice, remove the county superintendent and elect his successor for the unexpired

term; and, when a vacancy occurs in the office of county superintendent, by death or otherwise, the said joint boards, after due notice, shall fill the vacancy for the unexpired term, and the chairman of the county board of education shall, during such vacancy, or during the disability of the county superintendent, discharge the duties of his office. Immediately after the election of a county superintendent, the secretary of the joint boards holding such election shall report to the state superintendent of public instruction the name and address of the person elected, and the person elected shall report to the state superintendent as soon as he shall have qualified, the date of such qualification: *Provided*, that in all meetings of the joint boards herein provided for, no man shall be entitled to more than one vote by reason of his being a member of more than one of said boards.

NOTE.—The success of the public schools in any county will greatly depend on the efficiency and activity of the county superintendent; therefore the boards having in charge the election of this officer should use the utmost care in the selection of a man for the position. In case of a vacancy from any cause, the county board of education and the county commissioners should be called together at as early a day as possible for the purpose of filling the vacancy.

The next regular election will be held at the annual meeting, June, 1894. See section 3, chapter 199, Acts of 1889, which requires the superintendent to qualify on the first day of July.

Sec. 2549. School districts.

The county board of education shall lay off their respective counties into convenient school districts, consulting as far as practicable the convenience of the neighborhood. They shall designate the districts by number, as school district number one, school district number two, in the county of-----

Sec. 2550. Convenience of residents to be consulted in formation of districts; separate schools for the two races.

The county board of education shall consult the convenience of the white residents in settling the boundaries of districts for the white schools, and of colored residents in settling boundaries for colored schools. The schools of the two races.

shall be separate ; the districts the same in territorial limit or not, according to the convenience of the parties concerned. In cases where there are two sets of districts in a county, they shall be designated as school district number one, two, three, etc., for white schools, or school district number one, two, three, etc., for colored schools, in the county of-----

Sec. 2551. (As amended by Laws of 1889.) County board of education to apportion county school fund among districts; sums so apportioned subject to order of school committees.

The county board of education of every county shall, on the first Monday in January of each year, apportion among the several districts of the county, designating the amount to each school-house, if more than one in the district, all school funds in the following manner: first deduct an amount sufficient to defray the general school expenses of the county authorized by law; then apportion two-thirds of the funds to the several districts in proportion to the whole number of children between the ages of six and twenty-one years, and at the same time the remaining one-third shall be apportioned in such manner as to equalize the average length of school terms for the two races as far as may be practicable, without discrimination in favor of or to the prejudice of either race. As soon as the apportionment is made, the county board of education shall post a statement at the court-house door, showing the amount apportioned to the several districts or schools of the county, and they shall also notify each committee of the amount apportioned to their district and to each school. The board shall also furnish the treasurer of the county board of education a statement of the amounts apportioned to the several districts and schools.

NOTE.—It is not to be expected that the school terms of the several districts of either race can be made equal, and the boards are advised to give no district more than its per capita proportion of the funds, unless there exists a real, substantial, geographical reason why the number of pupils is small.

Sec. 2552. Basis of annual apportionment of public school moneys.

The annual apportionment of public school moneys shall be based upon the amounts actually received by the county treasurer from all sources and reported by him to the county board of education as required by this chapter. But a sufficient amount of money shall be left unapportioned to pay the general school expenses of the county authorized by this chapter.

NOTE.—The general expenses authorized are: pay of county superintendents, treasurer's commissions, mileage and per diem of county boards, postage and stationery, fuel for office of the board, and \$100 for a county institute, and other necessary expenses. See section 39, Laws 1889.

Sec. 2553. (As amended by Laws of 1885 and 1889, and chapter 483, Laws of 1893.) School committee; their duties; vacancies, etc.

For each white and each colored school district there shall be elected biennially by the county board of education of the respective counties, on the first Monday in June, a school committee of three persons, whose term of service shall begin the first Monday of July following, and whose duties shall be as prescribed in this chapter. If a vacancy should at any time occur, it shall be the duty of the county board of education to appoint a suitable resident of the school district to fill such vacancy, and the person thus appointed shall exercise all the powers and duties of a school committeeman until his successor is elected and qualified. For sufficient cause, after thirty days' formal notice, the county board of education may remove a school committeeman and proceed at once to fill the vacancy thus created: *Provided*, that all orders by committees for money, and all contracts made by them in writing shall be signed in the legible handwriting of the committeemen purporting to sign such orders or contracts, or in case any committeeman cannot write his name, his signature by making his mark shall be witnessed by at least one disinterested witness in his own proper handwriting.

NOTE.—Select for school committeemen those who will give personal attention to school interests in their districts. County boards will note

that the law requires three committeemen for each white, and three for each colored district. The committeemen for colored school districts need not necessarily be colored men; where competent colored men cannot be had, experienced and competent white men should be selected. The same persons may be appointed committeemen for a white and for a colored district.

Sec. 2554. County treasurer to receive and disburse school fund; his bond; misdemeanor, etc.

The county treasurer of each county shall receive and disburse all public school funds; but before entering upon the duties of his office, he shall execute a justified treasurer's bond, with security in double the amount of all public school moneys received by him or by his predecessor during the previous year, conditioned for the faithful performance of his duties as treasurer of the county board of education, and for the payment over to his successor in office of any balance of school moneys that may be in his hands unexpended, and the county board of education may, from time to time, if necessary, require him to strengthen said bond, and in default thereof the members of the county board of education shall be guilty of a misdemeanor; and for any breach of said bond, action shall be brought by the county board of education.

NOTE.—The bond is to be taken and approved by the board of county commissioners. See section 4, chapter 199, Laws of 1889.

Sec. 2555. (As amended by Laws of 1889.) Orders, how issued upon treasurer of county board of education; proviso; payments for building or repairing school-houses.

All orders upon the treasurer of the county board of education for school money for the payment of teachers, and all orders for the purchase of sites for school-houses and for the cost of building, repairing and furnishing school-houses, shall be signed by the school committee of the district in which the school is taught, or in which the site or school-house is situated, and shall be countersigned by the county superintendent of public instruction, which orders, duly indorsed by the person to whom the same are payable, shall

be the only valid vouchers in the hands of the treasurer of the county board of education, to be paid out of the funds apportioned to the district: *Provided*, the said treasurer shall not pay any school money for building or repairing any school-house unless the site on which it is located has been donated to or purchased by the school committee of the district in which said house is located, and a deed for the same regularly executed and delivered to said committee and their successors in office, probated, registered in the office of register of deeds for the county, and delivered to the treasurer of the county board of education, to be by him safely deposited with his valuable official papers, and surrendered to his successor in office, and for default he shall be liable on his official bond for any sum thus illegally paid. No order given by a school committee of any district for maps, charts, globes or other school apparatus shall be valid unless the same be indorsed by the county superintendent of public instruction and approved by the county board of education.

NOTE.—Treasurers will note that this section requires *all* orders given by committeemen, whether for teachers' salaries or for other claims against district funds, to be countersigned by the county superintendent.

Section 2584 requires all deeds to be delivered to the county board of education.

Sec. 2556. Duties of treasurer of county board of education.

It shall be the duty of the treasurer of the county board of education to keep a book in which he shall open an account with each public school district in the county, showing the amount apportioned to said district, distinguishing the moneys due to the white and the colored districts, the date of all payments of school moneys, the name of the person to whom paid and the several amounts. He shall balance the accounts of each district annually on the thirtieth day of June in each and every year, and shall report by letter or printed circular, within ten days after each apportionment, to each school committee the amount apportioned to the

respective districts for the year, together with the balance which may be due any of the said districts from the preceding year.

Sec. 2557. Treasurer to furnish blank deeds to school committees; form of deed; when land to revert.

It shall be the duty of the treasurer of the county board of education to furnish school committeemen with blank deeds for school-house sites. If a school-house site has been purchased, an ordinary fee-simple deed shall be executed. If a site has been donated, the donor may provide in the deed of gift that the title to the site, but not to the improvements, shall revert to him or his heirs in case the same shall cease to be used for school purposes for the space of three years.

Sec. 2558. (This section is repealed. See Acts 1889.)

Sec. 2559. Treasurer to produce books, vouchers, etc., when required by board.

The treasurer of the county board of education shall, when required by said board, produce his books and vouchers for examination, and shall also exhibit all moneys due the public school fund of the county at each settlement required by this chapter.

Sec. 2560. (As amended by the Laws of 1889.) Treasurer to make report to state superintendent of public instruction.

The treasurer of the county board of education of each county shall report to the state superintendent of public instruction on the first Monday of July of each year the entire amount of school money received and disbursed by him during the preceding school year, designating by items the amounts received respectively from property tax, poll-tax, liquor licenses, fines, forfeitures and penalties, auctioneers, estrays, from state treasurer, and from all other sources. He shall also designate by items the sums paid to teachers of white and colored children respectively, and for school-houses and school-house sites in the several districts, and for

all other purposes, specifically and in detail by items, and on the same day he shall file a duplicate of said report in the office of the county board of education. He shall make such other reports as the board of education of the county may require from time to time.

Sec. 2561. Treasurer to keep account of public school moneys.

The treasurer of the county board of education shall keep a book in which shall be entered a full and detailed account of all public school moneys received by him, the name of each person paying him school money, the source from which the same may have been derived, and the date of such payment: *Provided*, in his settlement with the sheriff or other collecting officer of public school taxes or other school fund the said treasurer shall receive money only.

NOTE.—For other duties of treasurer and pay for services, see section 25, chapter 174, Laws of 1885, as published in this pamphlet.

Sec. 2562. (As amended by the Laws of 1885.) Treasurer failing to report guilty of misdemeanor.

Any treasurer of a county board of education failing to make the reports required of him at the time and in the manner prescribed shall be guilty of a misdemeanor, and be fined not less than fifty dollars and not more than two hundred dollars, or imprisoned not less than thirty days nor more than six months, in the discretion of the court.

Sec. 2563. (As amended by Laws of 1889.) Sheriff to pay annually in money to treasurer of the county board, amount of state and county taxes levied for school purposes, etc.; misdemeanor; penalty; action on bond.

The sheriff of each county shall pay annually in money to the treasurer of the county board of education thereof, on or before the thirty-first day of December of each year, the whole amount levied, less such sum or sums as may be allowed on account of insolvents, for the current year, by both state and county, for school purposes; and, on failure so to do, shall be guilty of a misdemeanor, and fined not less

than two hundred dollars, and be liable to an action on his official bond for his default in such sum as will fully cover such default, said action to be brought to the next ensuing term of the superior court and upon the relation of the county board of education for and in behalf of the state.

Sec. 2564. (As amended by the Laws of 1885.) Sheriff to take duplicate receipts.

The sheriff or other collecting officer shall take duplicate receipts of the treasurer of the county board of education for such payments as he may make under this chapter, one copy of which shall be transmitted to the auditor of the state, and one to the chairman of the county board of education.

NOTE.—Sections 2562, 2563 and 2564. Treasurers and sheriffs will specially note the provisions of these sections. They will keep the poll and property tax separate, indicating each in the receipts given by the treasurer. This they will be the better able to do, because the school poll-tax and school property tax of each individual will be separated on the tax lists. A little attention to this will enable the treasurers to make their reports promptly.

See also section 8, chapter 199, Laws 1889, which requires the sheriff to itemize as specified in section 2560.

Sec. 2565. (As amended by the Laws of 1885.) Duties of secretary of county board of education.

The secretary shall record all of the proceedings of the county board of education, issue all notices and orders that may be made by said board pertaining to the public schools, school-houses, sites or districts (which notices or orders it shall be the duty of the secretary to serve by mail, or by personal delivery without cost), and record all school statistics. The county board of education shall provide the secretary with a suitable book in which to make the records required by this section.

Sec. 2566. (As amended by the Laws of 1885, 1889 and 1891.) Examination of applicants for teachers' certificates by county superintendent of public instruction; grades of certificates; valid for one year in county where issued; what to be taught in public schools; proviso.

The county superintendent of public instruction of each county shall examine all applicants of good moral character

for teachers' certificates at the court-house in the county, on the second Thursdays of February, April, July, September, October and December of every year, and continue the examination from day to day, during the remainder of the week, if necessary, till all applicants are examined. The grade of the certificate to which the applicants may be entitled shall conform to the following standard of excellence: that is, one hundred being the maximum, a certificate shall not issue to any applicant who makes less than fifty per centum in any one branch, or whose general average is less than seventy per centum. A general average of ninety per centum and over shall entitle an applicant to a first-grade certificate; a general average of eighty per centum or more shall entitle the applicant to a second-grade certificate; and a general average of seventy per centum or more shall entitle an applicant to a third-grade certificate. The certificates shall be valid for one year from their dates and only in the county in which they were issued. No branches shall be taught in the public schools except spelling, defining, reading, writing, arithmetic, English grammar, geography, elementary physiology and hygiene, and the history of the state and United States: *Provided*, the school committee may make special arrangements to allow other branches to be taught: *Provided, also*, the county superintendent shall hold his examinations publicly, and may invite competent persons to assist him in such examinations.

NOTE.—The county superintendents should grant certificates to none except to those who produce reliable evidence of good character, and pass an approved examination, fairly testing the proficiency of the applicant. School committees should provide for additional studies in the public schools, when such action will be of advantage to any of the pupils of their district. The pursuit of all useful knowledge should be encouraged in the schools. Six days are appointed by law for examinations, and the boards will see that all examinations are made on these days or on the day following, if one day is not sufficient, except in extraordinary cases. The examinations need not be held in the *court-house*, but may be conducted in any suitable room at the county-seat.

See section 41 of chapter 199, Laws of 1889, which requires examinations on theory and practice of teaching.

Sec. 2567. (As amended by the Laws of 1885.) Teachers' institutes; teachers required to attend.

The board of education of any county may annually appropriate an amount not exceeding one hundred dollars out of the school funds of the county for the purpose of conducting one or more teachers' institutes for said county; or the county boards of education of two or more adjoining counties may, if in their judgment deemed proper, appropriate an amount not exceeding one hundred dollars to each county, for the purpose of conducting a teachers' institute for said counties, at some convenient and satisfactory point, and the public school teachers of the said county or counties are required to attend said institutes which latter shall be open also to any teachers in the county or counties who may be desirous to attend them.

Sec. 2568. County superintendent to have charge of institute, etc.

A county teachers' institute under the preceding section shall be under the supervision of the county superintendent of public instruction. In the event of a joint county teachers' institute, the supervision shall be vested in a president to be elected by the institute from among the county superintendents present.

NOTE.—Secs. 2567 and 2568.—The county board of education of each county should make an appropriation of a sufficient sum, under the provisions of these sections, for the proper training of the teachers of the county for work in the public schools. A well conducted teachers' institute is an absolute necessity for the proper development and progress of the school system of a county. It is a mistaken idea of economy in county boards to withhold the funds necessary for this work. The \$4,000 given by chapter 200, Laws of 1889, to institute work in the counties has been taken from this work and given to the Normal and Industrial School for White Women, at Greensboro, N. C. See section 8, chapter 139, Laws of 1891.

Sec. 2569. (As amended by the Laws of 1885.) Duties of county superintendent of public instruction; powers; suspension of teacher.

It shall be the duty of the county superintendent of public instruction to advise with the teachers as to the best methods

of instruction and government, and to that end he shall keep himself thoroughly posted as to the progress of education in other counties, cities and states; he shall have authority to correct abuses, and to this end he may, with the concurrence of a majority of the school committee of the district in which he is employed, suspend any teacher who may be guilty of any immoral or disreputable conduct, or who may prove himself incompetent to discharge efficiently the duties of a public school teacher, or who may be persistently neglectful of said duties, or if the salary is exorbitant, or the patronage insufficient to justify the expenditure, and the teachers shall be paid only to the date of such suspension. Under the supervision of the county board of education he shall visit the schools; and he shall perform such other duties as may be required of him by the county board of education and the state superintendent, and shall obey their instructions.

NOTE.—The school committees should heartily co-operate with the county superintendent in securing the best work possible by the teachers in the school room. The training of children must not be left in the hands of those whose example in daily life could not be safely followed by their pupils. The county superintendent should be allowed large discretion in the matter of visitation of schools. No work will be of greater benefit to the teachers and schools.

Sec. 2570. County superintendent to distribute blanks.

It shall be the duty of the county superintendent of public instruction to distribute to the various school committees of his county all such blanks as may be furnished by the state superintendent of public instruction for reports of school statistics of the several districts; also blanks for teachers' reports and for orders on the treasurer of the county board of education for teachers' salaries; he shall also distribute to the school committees school registers for their respective districts; he shall advise with said committees as to the best methods of gathering the school statistics contemplated by such blanks, and, by all proper means, shall seek to have such statistics fully and promptly reported.

NOTE.—The blanks furnished by the state superintendent are as follows: School Registers, Record of Examinations, Teachers' Reports and Vouchers, Teachers' Certificates, Superintendents' Reports, Treasurers' Reports, Census Reports, and Deeds, and blanks for Census of Deaf and Dumb and of Blind under chapter 69, Laws of 1893. In ordering blanks from the state superintendent the county superintendent should give his express office.

Sec. 2571. (As amended by the Laws of 1885.) County superintendent to countersign orders on treasurer of county board for payment of teachers' salaries.

It shall be the duty of the county superintendent of public instruction to countersign all orders given by the several school committees upon the treasurer of the county board of education in payment of teachers' salaries, and it shall not be lawful for the said treasurer to pay such orders unless the same have been countersigned by the county superintendent of public instruction: *Provided*, the said county superintendent shall not have authority to countersign any such order until the teacher in whose favor it is drawn shall have made the reports to the county superintendent required by this chapter, and shall have sworn to them before the county superintendent.

NOTE.—The spirit of this proviso is, that no voucher shall be countersigned unless sworn to. See section 12, chapter 199, Laws 1889. *All* orders must be countersigned by the county superintendent. See section 2555.

Sec. 2572. County superintendent to deliver to county board catalogue of teachers, etc.

The county superintendent of public instruction shall deliver to the county board of education, on or before the first Monday in July in every year, a catalogue of all the teachers to whom he gave certificates during the year.

Sec. 2573. County superintendent to report to state superintendent number, etc., of teachers, schools, etc.

It shall be the duty of the county superintendent of public instruction in each county, on or before the first Monday in July of every year, to report to the state superintendent of

public instruction an abstract statement of the number, grade, race and sex of the teachers examined and approved by him during the year; also the number of public schools taught in the county during the year for each race; the number of pupils of each race enrolled in said schools; their average attendance; the number of females; the average length of the terms of said schools and the average salary, respectively, of the white and colored teachers; also full and accurate statistics of the number of school children in the county, giving race and sex; the number of school districts for each race, and the number of public school-houses and the value of public school property for each race; the number of teachers' institutes held, and the number of teachers that attended such institutes; together with such suggestions as may occur to him promotive of the school interests of the county.

NOTE.—County superintendents should make full and prompt reports under the provision of this section, and report all permanent private schools in their county, as indicated by any blank which may be furnished them.

Sec. 2574. (As amended by the Laws of 1885.) County superintendent to record copy of report to state superintendent in office of secretary of county board.

The county superintendent of public instruction shall record in his books his annual report to the state superintendent of public instruction and the census reports and school statistics as reported to him by the school committees.

Sec. 2575. (As amended by the Laws of 1885.) Compensation of county superintendent.

Each county superintendent of public instruction who shall comply with this chapter shall receive, as compensation for his services, such sum as in the discretion of the board of education may seem adequate and just, the amount not to be less than two nor more than three dollars per day for all days necessarily engaged in the discharge of the duties of his position, of which said service he shall present, at their regular meeting, to the county board of education, an itemized

account, with an affidavit attached, that the services therein charged have been in fact rendered, whereupon, if approved by the county board of education, it shall be the duty of the chairman and secretary of said board to draw an order on the treasurer of the county board of education for the amount due the county superintendent by virtue of this section. This order shall be paid by the said treasurer out of the school funds: *Provided*, his salary shall not exceed four per centum of the school fund apportioned in the county.

Sec. 2576. (As amended by the Laws of 1885.) Oath of school committeemen; school officers authorized to administer oaths.

Before entering upon the duties of their office, the school committeemen shall take an oath for the faithful discharge of the duties of their office. In all matters pertaining to the execution of the school law, all the members of the county board of education and the county superintendent are authorized to administer oaths, but neither they nor justices of the peace shall be entitled to any fee for such service.

Sec. 2577. Meeting of school committeemen; chairman; clerk; record to be kept.

The school committee of each school district, within fifteen days after their election or appointment, shall meet at some convenient point within the school district, and organize by electing one of their number chairman and another of their number clerk of the school committee, and the said clerk shall keep a record of the proceedings of said committee in a book provided for that purpose.

NOTE.—A record of the proceedings of each committee, as required by this section, should be kept; very many difficulties will be avoided thereby. This record book is not furnished by the state superintendent, but may be bought by the committee.

Sec. 2578. School committee to be a body corporate.

The school committee of each school district shall be a body corporate by the name and style of "The School Committee of District No. ----, in the county of -----," and by

that name shall be capable of purchasing and holding real and personal estate, and of selling and transferring the same for school purposes, and of prosecuting and defending suit for or against the corporation. All conveyances to school committees shall be to them and their successors in office.

Sec. 2579. (As amended by the Laws of 1885 and 1889.) School committee to take annual census of children; to report number of school-houses to county superintendent.

It shall be the duty of the school committee of each district to take and return to the county superintendent of public instruction, on or before the first day of June in every year, a full and accurate census of the children between the ages of six and twenty-one years, designating the race and sex. And the said committee shall also report to the said county superintendent the number of public school-houses and the value of all public school property, for each race, separately.

Should the committee fail to make such report by the first Monday of July, the report of the preceding year shall be taken as the basis of the report to the state superintendent. The said report shall be signed by the member of the committee designated to take the census, and be sworn to before any justice of the peace or other person authorized to administer oaths.

NOTE.—A failure by the committee to make the report as required by this section is sufficient cause for their removal by the county boards. The committee will designate one of their number to perform this duty, who is to swear to the report. See chapter 69, Laws of 1893.

Sec. 2580. (As amended by the Laws of 1889.) School committee authorized to employ and dismiss teachers, and to fix their pay.

The school committees shall have authority to employ and dismiss teachers in their respective districts; but no contract shall be made during any year to extend beyond the term of office of the committee, nor for more money than is placed to the credit of the district for the fiscal year during which the contract is made. No person shall be employed as a

teacher who does not produce a certificate from the county superintendent of public instruction dated within the time prescribed by law. Teachers of third grade shall receive out of the public fund not more than fifteen dollars per month; of the second grade, not more than twenty-five dollars per month, and teachers of first grade may receive such compensation as shall be agreed upon; but no teacher shall receive any compensation for a shorter term than one month, unless providentially hindered. Twenty school days shall be a month: *Provided*, that the county board of education shall have authority to fix a maximum price for first-grade teachers, and otherwise superintend the employing and dismissing of teachers not inconsistent with the specific prohibition in this section.

NOTE.—A *good* teacher is cheaper at a *high* price than an *incompetent* teacher at a *low* price. The practice in some sections of employing teachers and putting them to work before they have the county superintendent's certificate, relying on a prospective examination, is *unlawful*.

The amendment to this section by the Assembly of 1889 allows the board of education to make such regulations about employing and dismissing teachers as they may deem proper, not inconsistent with the plain provisions of the section. It is advised that large discretion be allowed to committeemen, especially if they are intelligent and manifest interest in their school. In case of divisions and neighborhood difficulties as to who the teacher is to be, terms, etc., the board can control.

Sec. 2581. Teachers to render statement of number of pupils, etc., to school committee; when order for payment of teachers to be given.

At the end of every term of a public school, the teacher or principal of the school shall exhibit to the school committee of the district a statement of the number of pupils, male and female; the average daily attendance, the length of term and the time taught. If the committee are satisfied that the provisions of this chapter have been complied with, they shall give an order on the treasurer of the county board of education, payable to said teacher, for the full amount due for services rendered.

Sec. 2582. School committee empowered to receive gifts, etc.; deed, how executed; proceeds of sale; to have care of school-house, etc., and to sell the same, etc.; original grantor to have option to repurchase school-house site when resold.

The school committee may receive any gift, grant, donation or devise made for the use of any school or schools within their jurisdiction, and in their corporate capacity they shall be intrusted with the care and custody of all school-houses, school-house sites, grounds, books, apparatus, or other public school property belonging to their respective jurisdictions, with full power to control the same as they may deem best for the interest of the public schools and the cause of education. When, in the opinion of the committee, any school-house, school-house site or other public school property has become unnecessary for public school purposes, they shall sell the same at public auction, after advertisement for twenty days at three public places in the county. The deed for the property thus sold shall be executed by the chairman and clerk of the committee, and the proceeds of the sale shall be paid to the treasurer of the county board of education for the school expenses in said school district: *Provided*, the committee shall first offer the site and improvements to the original grantor, donor, or his heirs, at a price fixed by the committee. And in the event of a disagreement as to the price, the committee shall select one discreet and disinterested person, and the grantor, donor, or his heirs shall select another such person, to value and appraise the property, and in the event they cannot agree, they shall call to their aid an umpire; and upon the payment of the price thus fixed the committee shall convey, by proper deed, the property to the original grantor, donor, or his heirs: *Provided*, that the committee shall be allowed to remove the house if the grantor or his representative refuse to purchase it, and its value shall, in that case, not be considered in the appraisement.

Sec. 2583. (As amended by section 15, chapter 199, Laws of 1889.)
Empowered to receive sites for school-houses by donation or purchase; in case of purchase, approval of chairman and secretary of county board necessary; title; proceedings to condemn land for school-house sites.

The school committee may receive suitable sites for school-houses by donation or purchase. In the latter case they shall report the price to the chairman and secretary of the county board of education. If the latter are satisfied that the price is not excessive, and that it is suitable in respect to its location, they shall approve the order of the committee on the treasurer of the county board of education for the purchase-money, and upon payment of the order the title to said site shall vest in the committee and their successors in office. Whenever the committee are unable to obtain a suitable site for a school by gift or purchase, they shall report to the county superintendent of public instruction, who shall, upon five days' notice to the owner of the land, apply to the clerk of the superior court for the appointment of their [three] appraisers, who shall lay off, by metes and bounds, not more than one acre, and assess the value thereof. They shall make a written report of their proceedings, to be signed by them or by a majority of them, to the said clerk within five days from their appointment, who shall enter the same upon the records of the court. If said report is confirmed by the clerk of the court, the chairman and secretary shall approve the order which the district school committee shall give on the treasurer of the county board of education in favor of the owner of the land thus laid off, and upon payment or offer of payment of this order the title to said land shall vest in the school committee and their successors in office: *Provided*, improved land shall not be condemned under this section unless it be essential to secure a proper location: *Provided further*, any person aggrieved by the action of said appraisers may appeal to the superior court of the county in which the land is situate upon giving bond to secure the board against such costs as may be incurred on account of said appeal not being prosecuted with effect.

NOTE.—School committees should procure suitable sites in their respective districts, and have comfortable school-houses erected thereon. When the district has no school-house, disputes arise each year as to where the school should be taught, and thus neighborhood quarrels are promoted which injure the schools. School committees should pay particular attention to the provisions of this section to save trouble in connection with titles.

Sec. 2584. (As amended by chapter 199, Laws of 1889.) School committee to deliver deeds to county board of education.

All deeds to school committeemen shall be delivered for safe-keeping to the board of education of the county, and they shall have them recorded, if not already recorded, and all deeds hereafter made shall be delivered to said board for their inspection before registration.

Sec. 2585. Duties of teachers; dismissal of pupil.

It shall be the duty of all teachers of free public schools to maintain good order and discipline in their respective schools, to encourage morality, industry and neatness in all of their pupils, and to teach thoroughly all the branches which they are required to teach. If any pupil shall wilfully and persistently violate the rules of the school, such pupil may be dismissed by the teacher for the current term.

NOTE.—On the subject of the authority of the teacher as to corporal punishment, the following decision, rendered by Judge Gaston, 2 Devreux and Battle, p. 365, is quoted:

“The law confides to schoolmasters and teachers a discretionary power in the infliction of punishment upon their pupils, and will not hold them responsible criminally, unless the punishment be such as to occasion permanent injury to the child, or be inflicted merely to gratify their own evil passions.

“It is not easy to state with precision the power which the law grants to schoolmasters and teachers with respect to the correction of their pupils. It is analogous to that which belongs to parents, and the authority of the teacher is regarded as a delegation of parental authority. One of the most sacred duties of parents is to raise up and qualify their children for becoming useful and virtuous members of society; this duty cannot be effectually performed without the ability to command obedience, to control stubbornness, to quicken diligence and to reform bad habits; and to enable him to exercise this salutary sway he is armed with the power to administer moderate correction when he shall believe it to be just and necessary.

“ Within the sphere of his authority, the master is judge when correction is required and of the degree of correction necessary; and like all others intrusted with a discretion, he cannot be made penally responsible for error of judgment, but only for wickedness of purpose. The best and wisest of mortals are weak and erring creatures, and in the exercise of functions in which their judgment is to be the guide cannot be rightfully required to engage for more than honesty of purpose and diligence of exertion. His judgment must be *presumed* correct, because he is *the judge*, and also because of the difficulty of proving the offence or accumulation of offences that called for correction; of showing the peculiar temperament, disposition and habits of the individual corrected; and of exhibiting the various milder means, that may have been ineffectually used, before correction was resorted to.

“ But the master may be punishable when he does not transcend the powers granted, if he grossly abuse them. If he use his authority as a cover of malice, and, under pretence of administering correction, gratify his own bad passions, the mask of the judge shall be taken off, and he will stand amenable to justice, as an individual not invested with judicial power.”

For conduct outside of school, or after school is dismissed, it seems to be agreed that a teacher may inflict punishment for any misbehavior that has a *direct or immediate* tendency to injure the school, to subvert the teacher's authority and to beget disorder and insubordination. This line of authority it is difficult to draw with precision, and a wise discretion must be exercised, the teacher always bearing in mind that it is the *school* and his authority to govern it that are to be protected.

The secret of success in school government lies in the art of creating an interest and enthusiasm in school exercises and their results. This done the school will, in a large measure, govern itself; without it, no kind or degree of corporal punishment will secure good results in school work or government. The teacher should so demean himself as to make all pupils consider him their friend and benefactor, keeping authority and punishment in the background, to be used when nothing else will do.

Sec. 2586. (As amended by Laws of 1885 and 1889.) Teachers to keep daily records concerning pupils; grades in scholarship, in deportment; report to be made to county superintendent.

Every teacher or principal of a school to which aid shall be given under this chapter shall keep a daily record of all absences of pupils and of the grade in scholarship and deportment of each. The grade in scholarship shall be indicated by the numbers one, two, three, four and five, one representing the highest or first grade and five the lowest, and the three intermediate numbers the three intermediate grades.

The grades in department shall be represented by the same numbers and in the same order. At the end of every term every principal or teacher of a public school shall report to the county superintendent of public instruction the length of term of school, the race for which it was taught, the number, sex and average daily attendance of the pupils, and the number of the district in which the school was taught.

If any term comprehends parts of the two school years, beginning in one and ending in the succeeding, the teacher shall on the first day of July make the above required report for the part of the term up to that date, and the remaining part of the term shall be reported when the term closes and form part of the report for that year.

NOTE.—Teachers will note that their orders for salary will not be approved by the county superintendent, or paid by the treasurer, until this report is made. Arrangements, however, may be made with the county superintendent to approve orders for the salary of each month, so as to enable teachers to draw their pay monthly. The teacher must, in this case, make a report for the full session at its close, before he can receive the last installment of his salary.

• Section 24, chapter 199, Laws 1889, forbids any school being in session on June 30th. No school can comprehend parts of two school years: therefore the last paragraph of this section is practically of no force.

Sec. 2587. School year.

The school year shall begin on the first Monday in July.

NOTE.—See section 1, chapter 199, Laws of 1889.

Sec. 2588. (As amended by the Laws of 1889.) Every school receiving aid under this chapter to be a public school.

Every school to which aid shall be given under this chapter shall be a public school, to which all children living within the district between the ages of six and twenty-one years shall be admitted free of charge for tuition: *Provided*, the admission of pay students shall be under the direction of the committee. *Provided further*, that the committee or the county superintendent or the board of education may exclude persons of immoral lives or character.

NOTE.—Children, in the district, not of school age, or those living outside of the district, may be admitted as pay students by direction of the school committee.

Sec. 2589. (As amended by section 3, chapter 294, Laws of 1893.) Tax of sixteen cents on every one hundred dollars of property and credits to be levied for support of public schools; poll-tax of forty-eight cents.

In addition to the state and county capitation taxes appropriated by the constitution, and other revenues for the support of the public schools, there shall be levied and collected every year for the maintenance and support of the public schools sixteen cents on every one hundred dollars worth of property and credits in the state, and forty-eight cents on every poll, in addition to the taxes in the revenue law.

NOTE.—Attention is called to section nine (9), chapter 199, Laws 1889. The forms will contain separate columns for school poll-tax and school property tax, and it is required of the county commissioners and register of deeds to enter these items separate, whether levied in this section or under the provisions of section 2590. Each tax receipt is to show the total amount of school tax separate from the state and county tax, so that each tax-payer may know exactly how much school tax he pays. The phrase, "in addition to the taxes in the revenue law," has reference to taxes on liquor dealers, and taxes other than property and poll.

Sec. 2590. (As amended by the Laws of 1885.) If taxes insufficient to maintain public schools four months, board of commissioners to levy special tax; how collected.

If the tax levied by the state for the support of the public schools shall be insufficient to maintain one or more schools in each school district for the period of four months, then the board of commissioners of each county shall levy annually a special tax to supply the deficiency for the support and maintenance of said schools for the said period of four months or more. The said tax shall be collected by the sheriff in money, and he shall be subject to the same liabilities for the collection and accounting of said tax as for other taxes. The said tax shall be levied on all property, credits and polls of the county; and in the assessment of the amount on each the commissioners shall observe the constitutional equation of taxation; and the fund thus raised shall be expended in the county in which it is collected, in such manner as the county board of education may determine,

for maintaining the public schools for four months at least in each year. But the county board of education shall not be required to expend upon a district containing less than sixty-five pupils the same sum it may give to larger districts, notwithstanding an inequality of length of school terms may be the result. The county board of education, on or before the annual meeting of the commissioners and justices of the peace for levying county taxes, shall make an estimate of the amount of money necessary to maintain the schools for four months and submit it to the county commissioners.

NOTE.—This section should be observed and its provisions carried out fully by the county boards of education and the county commissioners. It will be observed that the law is mandatory in its provisions, and that it is intended to carry into effect the provisions of article nine, sections two and three, of the state constitution. It will be noted that the county board of education is required to make an estimate of the additional funds necessary to provide schools for four months and submit it to the commissioners. For some years the law has required the county commissioners to levy any additional tax that might be necessary to continue the schools for a period of four months per annum, and the constitution of the state makes it their duty to do this under penalty of indictment; and yet some commissioners do not attend to this duty. Construing the constitution and the statute together, we are forced to the conclusion that it is the *imperative* duty of the commissioners to levy this tax.

The decision of the supreme court in *Barksdale v. Commissioners of Sampson*, 93 N. C. Reports, does not relieve the commissioners of this obligation except when the limit of 66½ cents on \$100 valuation of property and \$2.00 on polls has been reached for state, county and school purposes.

Section two, article five, of the constitution, is as follows:

“The proceeds of the state and county capitation tax shall be applied to the purposes of education and the support of the poor, but in no one year shall more than twenty-five per cent. thereof be appropriated to the latter purpose.”

The *state* tax is that levied by the *general assembly*, and the *county* tax is that levied by the *justices of the peace* and *county commissioners*. These taxes, combined, can never exceed \$2.00 on the poll.

When this limit is reached the commissioners cannot levy any school tax under the provisions of this section, but they are required to see that the sheriff (tax collector) shall pay over to the treasurer of the board of education *at least* \$1.50 on each poll that is collected, and they can allow more if they will.

If the limit of two dollars is not reached by the combined state and county levies, then at least *three-fourths* of whatever they do amount to must be paid over for schools; and in that case the commissioners must make an additional levy, if necessary, to continue the schools four months.

In ascertaining whether the limit has been reached, no special taxes for special purposes, under special acts of assembly, are to be included in the calculation.

Sec. 2591. (As amended by the Laws of 1889.) School committee empowered to contract with teacher of private school; proviso.

In any school district where there may be a private school, regularly conducted for at least nine months in the year, the school committee may contract with the teacher of such private school to give instruction to all pupils between the ages of six and twenty-one years in the branches of learning taught in the public schools, as prescribed in this chapter, without charge and free of tuition; and such school committee may pay such teacher for such services out of the public school funds apportioned to the district, and the agreement as to such pay shall be arranged between the committee and teacher: *Provided*, any teacher so employed shall obtain a first-grade certificate before beginning his work, and shall from time to time make such reports as are required of other public school teachers under this chapter: *Provided further*, that the board of education of the county and the county superintendent shall have the same authority in respect to the employment and dismissal of teachers under this section and in every other respect as is conferred in other sections of the law: *And provided further*, that all contracts made under this section shall designate the length of the public school term, which shall not be less than the average length of the public school terms of the county of the preceding year.

NOTE.—This section is intended to harmonize the public and the private school interests, but it does not permit the pupils of any one district to be divided among the different private schools that may be located within its limits. The general law provides that districts must be laid off and definite territorial lines established and a public school-house

provided, at which all the pupils within such lines are to attend school. If, however, the committee think best, they can employ the principal of a permanently established private school to teach all the pupils of the district, following the spirit and the letter of this section.

The object of the above section is not to destroy the *public* school, but to make it better.

Sec. 2592. Misdemeanor to wilfully disturb any school, etc.

Every person who shall wilfully interrupt or disturb any public or private school, or any meeting lawfully and peacefully held for the purpose of literary and scientific improvement, either within or without the place where such meeting or school is held, or injure any school building, or deface any school furniture, apparatus or other school property, shall be guilty of a misdemeanor, and fined not exceeding fifty dollars or imprisoned not more than thirty days. Any person who shall wilfully set fire to, or procure the same to be done, any school-house, shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment in the penitentiary or county jail, and may also be fined in the discretion of the court.

Sec. 2593. (As amended by the Laws of 1885, chapter 54, Laws of 1893.) State superintendent of public instruction authorized to employ clerk; his salary, how paid.

The state superintendent of public instruction is authorized to employ a clerk at a salary of one thousand dollars per annum, which shall be paid monthly by the state treasurer, on the warrant of the auditor, out of any funds which may be in the treasury not otherwise appropriated.

Sec. 652 of The Code, as amended by the Laws of 1889. Commissioners and county boards of education may punish, etc.

The board of commissioners and the county board of education of each county shall have power to punish for contempt, for any disorderly conduct or disturbance tending to interrupt them in the transaction of their official business.

Sec. 2654 of The Code, as amended by the Laws of 1889.

In every township, or in every city or town, one-third of the freeholders therein may apply by petition, in writing, to the board of commissioners of the county in which said township, city or town is situated, asking that an annual tax be levied for the support of one or more graded schools therein, whereupon, on or before the next regular meeting of said board, but not oftener than once a year, they shall order that the question, whether such tax shall be levied, be submitted to the vote of the qualified voters of such township, city or town, at the different wards and election precincts therein, as prescribed in the chapter entitled "Elections regulated."

Sec. 2655.

In case a majority of the qualified voters at such election are in favor of such tax, the same shall be levied and appropriated in such township, city or town, in the manner prescribed for the levying and appropriation of other school taxes: *Provided*, that the taxes so levied and collected shall in no case exceed one-tenth of one per centum on the value of property and thirty cents on the poll.

NOTE.—It is hoped that many communities will avail themselves of the provisions of the above sections.

SECTIONS 12 AND 13 OF CHAPTER 214, LAWS OF 1893, IS PUBLISHED BELOW FOR THE INFORMATION OF THE PUBLIC AND THE GUIDANCE OF PUBLIC SCHOOL OFFICERS.

SECTION 12. The county superintendents of health, or the board of health in the several cities and towns where organized, otherwise the authorities of said cities or towns, shall cause a record to be kept of all reports received in pursuance of the preceding sections, and such records shall contain the names of all persons who are sick, the localities in which they live, the diseases with which they are affected, together with the date and names of all persons reporting any such cases. The boards of health of cities and towns wherever organized, and where not the mayors of the same, and in other cases the county superintendent of health, shall give the school committee of the city or town, the principals of private schools and the superintendent of public instruction of the county, when the schools are in session, notice of all such cases of contagious diseases reported to them according to the provisions of this act. A failure to perform this duty for twenty-four hours after the receipt of the notice shall be deemed a misdemeanor, and subject the delinquent upon conviction to a fine of not less than ten nor more than fifty dollars.

SEC. 13. The school committees of public schools, superintendents of graded schools and the principals of private schools shall not allow any pupil to attend the school under their control while any member of the household to which said pupil belongs is sick of either small-pox, diphtheria, measles, scarlet fever, yellow fever, typhus fever or cholera, or during a period of two weeks after the death, recovery or removal of such sick person; and any pupil coming from such household shall be required to present to the teacher of the school the pupil desires to attend a certificate from the attending physician, city health officer or county superintendent of health of the facts necessary to entitle him to

admission in accordance with the above regulations. A wilful failure on the part of any school committee to perform the duty required in this section shall be deemed a misdemeanor, and upon conviction shall subject each and every member of the same to a fine of not less than one nor more than twenty-five dollars: *Provided*, that the instructions in accordance with the provisions of this section given to the teachers of the schools within twenty-four hours after the receipt of each and every notice shall be deemed performance of duty on the part of the school committee. Any teacher of a public school and any principal of a private school failing to carry out the requirements of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than one nor more than twenty-five dollars.

SECTIONS OF CHAPTER 174, LAWS OF 1885, WHICH ARE NOT EMBODIED IN THE SECTIONS OF THE CODE AS PRINTED IN THIS PAMPHLET.

SECTION 24. The principal or superintendent of every school supported in whole or part by public funds shall report to the state superintendent at such time and in such form as he may direct.

SEC. 25. (*As amended by section 18, chapter 199, Laws 1889.*) The treasurer of the county board of education shall, on the last Saturday of each month, attend at the office of the county board of education for the purpose of paying school orders (provided, that in those counties where the sheriff is *ex-officio* treasurer of the county he shall not be required to attend his office on the last Saturday in each month); but this shall not be construed to prevent the payment of orders at other times; and he shall be allowed for compensation as treasurer of the school fund such sum as the board of education may allow him, not to exceed two per centum of his vouchers paid on orders of school committees.

SEC. 26. (*As amended by section 17, chapter 199, Laws 1889.*) No contracts for teachers' salaries shall be made during any fiscal year for a larger amount of money than is actually to the credit of the respective districts for that year, and no committee shall give an order unless the money to pay it is actually to the credit of the district.

SEC. 27. The secretary of state shall furnish a copy of The Code and of the laws to each county board of education.

SEC. 28. No change of districts shall be made until full information is laid before the county board of education, showing the shape, size, boundaries and school population of all the districts affected by the change. Unless for extraordinary geographical reasons, no change of district lines shall be made that will constitute any district with less than sixty-five children of school age; and the county board shall provide, as far as practicable, that no district shall contain less than that number of children of school age. The county board shall furnish plans and require the committees to construct comfortable houses, with a view to permanency and enlargement as the increasing population may demand. The county board shall, in all matters, obey the requirements of the state board of education and the state superintendent.

NOTE.—This section does not require the counties to be redistricted. If changes of district lines are made, however, full information must be laid before the board to enable them to act intelligently. In making new districts or changing lines, no district can be made, or *left*, with less than sixty-five children of school age, unless on account of extraordinary geographical reasons, such as the intervention of dangerous rivers or creeks; the large territory that, in some sparsely populated sections, would be required to include sixty-five pupils, etc.

Let the county boards of education, the committees and the people work together, in the respective counties, to build comfortable houses, *furnish them well*, and make their location permanent; then our system will be much more effective for good.

CHAPTER 199, LAWS 1889.

(Sections are omitted which are embodied in the sections of The Code as printed in this pamphlet.)

SECTION 1. That the fiscal school year shall begin on the first day of July and close on the thirtieth day of June next succeeding.

SEC. 2. That the term of office of the county boards of education holding office at the date of the passage of this act shall expire on the thirtieth day of June, eighteen hundred and eighty-nine (1889), and thereafter the regular term of office of these boards shall begin on the first day of July and be two years; but the boards shall hold until their successors are elected and qualified.

SEC. 3. That the term of office of the county superintendents holding office at the date of the passage of this act shall expire on the thirtieth day of June, eighteen hundred and ninety, and after that date the terms of office of the superintendents shall be two years from the first day of July of the year of their election; but the superintendents shall hold office until their successors are elected and qualified.

SEC. 4. That the bond of the treasurer of the county board of education shall be approved by the board of county commissioners, and they shall bring action for any breach thereof, and on their failure to bring such action, it may be brought by the county board of education, or in the name of the state on the relation of any tax-payer. The said bond shall be separate, not including liabilities for other funds, and shall be in double the amount of school funds which he may receive or which were received by his predecessor during the previous year.

SEC. 5. That the treasurer shall balance his accounts on the thirtieth day of June, instead of on the thirtieth day of November, as now required by section two thousand five hundred and fifty-six of The Code.

SEC. 6. That section two thousand five hundred and fifty-eight of The Code is repealed.

SEC. 8. That whenever the sheriff or other collecting officer pays over moneys to the treasurer of the board of education, he shall designate the items as indicated in section two thousand five hundred and sixty of The Code, as amended by this act, and these items shall be stated in the receipts given by the treasurer.

SEC. 9. That the auditor of the state shall include on the form which he furnishes to the board of county commissioners, and on which the tax-lists are to be made out, separate columns for school poll-tax and school property tax, in one of which columns shall be entered the total poll-tax levied by the general assembly and the county authorities for schools due by each tax-payer, and in the other the total property tax levied by the general assembly and the county authorities for schools due by each tax-payer. The auditor's form shall likewise show, in separate columns, the white and colored polls, and in separate columns the property of whites and colored, and the list-taker's form shall be arranged accordingly.

SEC. 10. That partial third-grade certificates are hereby abolished. No examination of teachers shall be held on days other than those named in the school law for that purpose, unless the applicant was prevented from attending at the regular time on account of sickness, or unless the school interests would, in the judgment of the superintendent, suffer by delaying the examination to the regular day; and for each examination not made on the regular days the applicant shall pay the superintendent one dollar (\$1.00), which shall be turned over to the treasurer and placed to the credit of the general school fund of the county.

SEC. 11. That for immoral conduct or other conduct unbecoming a teacher, the county superintendent shall have power to revoke any certificate given by a county superintendent; and for the same cause, and for other causes dam-

aging to the school interests, and satisfactory to himself, he may, with the approval of the chairman of the board of education, discontinue any school and pay the teacher to the date of such discontinuance.

SEC. 12. That teachers may be qualified to their orders by any person authorized to administer an oath.

SEC. 13. That the report of the county superintendent to the state superintendent, now required to be made on the first Monday in December, shall be made on the first Monday in July.

SEC. 14. That the census now required to be taken on or before the first day of November shall be taken on or before the first day of June, and on failure to receive it before the first Monday in July, the county superintendent shall take the census of the preceding year as the basis of his report to the state superintendent.

SEC. 19. That on the first Monday of July the board of education, county superintendent, and treasurer shall meet at the office of the board and settle all the business of the preceding fiscal year. The board shall, on that day, examine the reports of the treasurer and county superintendent, which are required to be made to the state superintendent, and, if found correct, shall direct them to be forwarded.

SEC. 20. That should any day specified in this act on which any duty should be performed fall on Sunday, such duty shall be performed on the day following.

SEC. 21. That the register of deeds shall furnish to the board of education, as soon as the tax-lists are made out, an abstract of said lists, showing, in separate columns, the total amount of poll-tax borne on said lists, and also the total amount of property tax borne on the same, and shall furnish such other information from his office as the county board of education may from time to time require.

SEC. 22. That the books recommended by the state board of education, in accordance with section two thousand five hundred and thirty-nine, shall be used in all public schools

of the state, and the state board of education shall have discretion to recommend more than one series on such subjects as they may deem it desirable.

SEC. 24. That as far as practicable the county board shall require all schools to be in session at the same time, and no school shall be in session at the close of the fiscal year.

SEC. 26. That if the term of office of any treasurer shall expire on the thirtieth day of November during any fiscal school year, or if for any reason he shall hold office beyond the thirtieth of November and not for the whole of the current fiscal school year, he shall, at the time he goes out of office, file with the county board of education and with his successor a report, itemized as required by section 2560 of The Code as amended by this act, covering the receipts and disbursements for that part of the fiscal school year from the thirtieth of June preceding to the time at which he turns over the office to his successor, and his successor shall include in his report to the state superintendent the receipts and disbursements for the current fiscal school year.

SEC. 27. That each treasurer of the county board of education, on going out of office, shall deposit in the office of the board of education of his county his books in which are kept his school accounts, and all records and blanks pertaining to his office.

SEC. 38. The clerks of all criminal courts shall furnish, immediately upon the close of the term, to the board of education of the county a detailed statement of fines, forfeitures and penalties which go to the school fund that have been imposed or which have accrued during the terms. Any clerk failing to comply with the duties herein prescribed shall be guilty of a misdemeanor, and shall, upon conviction, be fined or imprisoned at the discretion of the court.

SEC. 39 That the county board of education are authorized to purchase fuel and stationery, and to pay other necessary expenses which they may incur in the discharge of their official duties.

SEC. 40. That the conductor of any county institute, acting with the county superintendent, may hold examinations and grant first-grade certificates, which shall be signed by both, and shall be valid for three years, subject to revocation by the chairman of the board of education and county superintendent of any county for immorality, incompetency and other reasons satisfactory to themselves, of which they shall be the judges, and such certificates may be made valid in any county by indorsement of the superintendent thereof.

SEC. 41. That in addition to the requirement for obtaining a first-grade certificate, as now provided by section 2566 of The Code, as amended by Laws of 1885, the applicant must, from and after one year from the ratification of this act, stand a satisfactory examination upon some books on school economy and theory and practice of teaching, to be selected by the state superintendent of public instruction.

NOTE.—The superintendent has selected Page's Theory and Practice of Teaching in compliance with this section. See *Appendix* for arrangements for purchasing the book.

SEC. 42. That in determining the right of any child to attend the white or colored schools, the rule laid down in section 1810 of The Code, regulating marriages, shall be followed.

SEC. 47. By and with the consent of the county board of education, the committees of two or more contiguous districts in any city or town may, by a majority vote of the committee in each district, employ a practical teacher, who shall be known as the superintendent of the public schools of said districts, and he shall perform all the duties of the county superintendent as to said districts, and shall make to the county superintendent all reports that may be necessary to enable him to make his reports to the state superintendent.

SEC. 48. That all laws and clauses of laws inconsistent with the provisions of this act are hereby repealed.

SEC. 49. That this act shall be in force from and after its ratification.

Ratified the 11th day of March, A. D. 1889.

CHAPTER 200, LAWS 1889.

AN ACT TO ABOLISH THE WHITE NORMAL SCHOOLS OF THE STATE, AND TO PROVIDE FOR HOLDING COUNTY INSTITUTES THROUGHOUT THE STATE.

The General Assembly of North Carolina do enact :

SECTION 1. That the eight normal schools heretofore established for the whites are hereby abolished, and the four thousand dollars (\$4,000) heretofore appropriated to said schools is hereby appropriated for the purpose of holding county institutes and conducting examinations of teachers, and for such other work for the instruction of teachers as may be deemed advisable in the various counties of the state.

SEC. 2. That the state board of education shall make all needful rules and regulations, and shall provide for the holding of the institutes in all the counties of the state as often as practicable, and the money to defray expenses shall be paid as the said state board of education may direct out of the fund appropriated by this act.

NOTE.—The four thousand dollars appropriated by sections 1 and 2, above, was by section 8 of chapter 139, Laws of 1891, taken from the maintenance of the institute work provided for in this chapter and applied to the support of "The Normal and Industrial School," for white girls, at Greensboro, N. C. Hence, the institute work cannot be prosecuted under this chapter, except by such funds as may be donated for the purpose by the general agent of the Peabody fund, or by others so disposed. When so donated and conductors are appointed, the general provisions of this chapter are applicable, and counties in which institutes may be held are bound by the provisions of this chapter.

SEC. 3. It shall be the duty of the county superintendent to assist in the institute work, and the county board of education shall provide a suitable building and defray all expenses except the salary and traveling expenses of the instructors employed by the state board.

SEC. 4. It shall be the duty of all white public school teachers of the county in which the institute is held to attend continuously the sessions of said institute, and on failure so

to do, without satisfactory reasons, they shall not be certified as teachers for the ensuing year; and in case an institute is held while the schools are in session in any county, they shall be suspended during the session of the institute.

SEC. 5. At the close or during the sessions of every institute, the conductor thereof, in connection with the county superintendent, shall hold written examinations of all public school teachers, white and colored, who may apply, and shall grant first and second grade certificates, which shall be signed by both and be good for three years in the county in which the institute is held, and in any other county of the state, when endorsed by the county superintendent thereof; but the said certificates shall be subject to revocation by any county superintendent for immoral conduct.

SEC. 6. The state superintendent may, in his discretion, send out from his office questions for the examinations of teachers, which, when sent, shall be used by the county superintendents in their regular examinations, as specified in the public school law.

SEC. 7. This act shall be in force from and after its ratification.

Ratified the 11th day of March, A. D. 1889.

CHAPTER 169, LAWS 1891.

AN ACT TO PROVIDE FOR THE STUDY OF THE NATURE OF ALCOHOLIC DRINKS AND NARCOTICS, AND OF THEIR EFFECT UPON THE HUMAN SYSTEM, IN THE PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. That the nature of alcoholic drinks and narcotics and special instruction as to their effect upon the human system in connection with the several divisions of the subject of physiology and hygiene shall be included in the branches of study taught in the common or public schools in the State of North Carolina, and shall be studied and

taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text-books in the hands of the pupils, and orally in case of pupils unable to read, and shall be taught by all teachers and studied by all pupils in all schools in this state supported wholly, or in part, by public money.

SEC. 2. That the text-books used for the instruction to be given in the preceding section for primary and intermediate grades shall give at least one-fourth of their space to the consideration of the nature and effect of alcoholic drinks and narcotics, and the text-books used in the higher grades of the public schools shall give at least twenty pages to the consideration of this subject.

SEC. 3. That no certificate to teach in the public schools in this state shall hereafter be granted to any applicant who has not passed a satisfactory examination in the study of the nature of alcoholic drinks and narcotics, and of their effect upon the human system in connection with the several divisions of the subject of relative physiology and hygiene.

SEC. 4. That it shall be the duty of the proper officers in control of any school described in the first section of this act to enforce the provisions of this act, and any such officer, school director, committee, superintendent, or teacher who shall refuse or neglect to comply with the requirements of this act, or shall neglect or fail to make proper provisions for the instruction required and in the manner specified by this act for all pupils in each and every school under his control and supervision shall be removed from office, and the vacancy filled as in other cases.

SEC. 5. That this act shall be in force and take effect from and after the first day of August, 1891.

In the general assembly read three times, and ratified this the 27th day of February, 1891.

NOTE.—The county superintendents will examine the teachers as required by this statute and issue certificates upon the same basis of grading as is required by the general law as to other branches.

CHAPTER 372, LAWS 1893.

AN ACT TO CERTIFY AS TEACHERS IN THE PUBLIC SCHOOLS OF THE STATE THE GRADUATES OF PEABODY NORMAL COLLEGE OF NASHVILLE, TENNESSEE.

The General Assembly of North Carolina do enact :

SECTION 1. That the graduates from Peabody Normal College, Nashville, Tennessee, in the degree of Licentiate of Instruction, and any higher degrees conferred by said institution, shall be recognized in this state as certified for life as teachers in any and all public schools.

SEC. 2. That this privilege is subject to revocation by the state superintendent of public instruction, or by the state board of education, at his or their discretion, for cause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 6th day of March, A. D. 1893.

NOTE.—Any conduct which would be good cause for revoking a certificate granted to a teacher by a county superintendent of public instruction, would be good cause for revoking the privilege granted by this act. Any county superintendent or county board of education having knowledge of such conduct by any graduate of said college, teaching in the state, will report the same, with proper proofs, to the state superintendent, or to the state board of education.

CHAPTER 69, LAWS 1893.

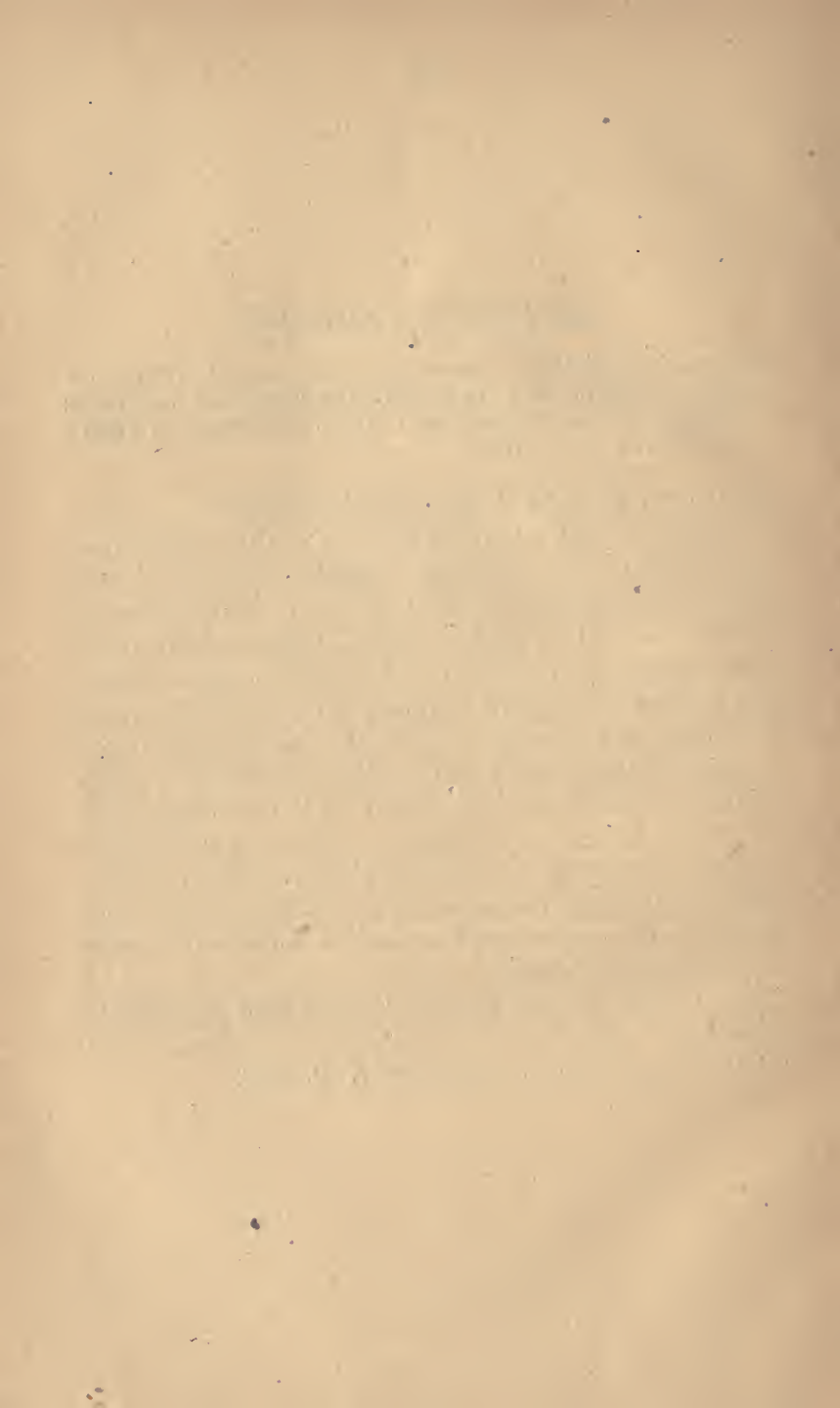
AN ACT TO REQUIRE THE COUNTY SUPERINTENDENTS OF PUBLIC INSTRUCTION TO SECURE INFORMATION AS TO THE NUMBER OF DEAF, DUMB AND BLIND CHILDREN IN THEIR RESPECTIVE COUNTIES.

The General Assembly of North Carolina do enact :

SECTION 1. That it shall be the duty of the county superintendent of public instruction to require of the school committee of the various school districts in enumerating the number of school children, to make a statement in the report of the number of deaf, dumb and blind between the ages of six and twenty-one years, designating the race and sex, and the address of the parent or guardian of said children; and the county superintendents of public instruction are hereby required to furnish such information to the principals of the deaf, dumb and blind institutions, and the superintendent of public instruction, in preparing blanks as directed in The Code, section three thousand three hundred and seventy, shall include questions and answers to which will furnish the information aforesaid.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 2d day of February, A. D. 1893.



APPENDIX—LIST OF TEXT-BOOKS, ETC.

Section 2539 of the school law requires the state board of education to recommend a series of text-books to be used in the public schools for a term of three years and until otherwise ordered; and section 22, chapter 199, Laws 1889, makes the use of the books so recommended *compulsory* in all the public schools of the state.

The contracts with the publishers require them to furnish the books to pupils at the *cash retail* price given opposite each book mentioned in the list below, and to make convenient arrangements to keep them for sale in all the counties.

The following is the list as now revised, with the names of the publishers :

	<i>Contract Price.</i>
UNIVERSITY PUBLISHING CO.	
Holmes' First Reader, new edition	\$.15
Holmes' Second Reader, new edition .....	.25
Holmes' Third Reader, new edition .....	.40
Holmes' Fourth Reader, new edition .....	.50
Holmes' Fifth Reader, new edition .....	.72
Holmes' New History of the U. S.	1.00
Maury's Elementary Geography .....	.55
Maury's Revised Manual of Geography, N. C. edition	1.25
Maury's Revised Physical Geography	1.20
Sanford's Primary Analytical Arithmetic .....	.20
Sanford's Intermediate Analytical Arithmetic .....	.36
Sanford's Common school Analytical Arithmetic .....	.64
Sanford's Higher Analytical Arithmetic .....	.85
Sanford's Elementary Algebra	1.00
THE J. B. LIPPINCOTT CO.	
Worcester's Primary Dictionary .....	.48
Worcester's New School Dictionary .....	.80
Worcester's Comprehensive Dictionary	1.40
Worcester's Academic Dictionary	1.50
Worcester's Octavo Dictionary	3.40
E. H. BUTLER & CO.	
Goodrich's Child History U. S. ....	.60
THE BAKER & TAYLOR CO.	
Stephens' History of the U. S.	1.08
AMERICAN BOOK CO.	
McGuffey's Revised Eclectic Primer .....	.10
Harvey's Revised Elementary Grammar and Composition .....	.45
Harvey's Revised English Grammar .....	.70
Eclectic Copy-Books (Elementary). Per doz. ....	.80
Eclectic Copy-Books. Per doz.	1.08
Swinton's Language Primer .....	.28

Harrington's Spelling-Book.....	\$.20
Harper's New Graded Copy-Books. Primary. 7 Nos. Per doz.....	.80
" " " " Gram. Sch'l. 8 Nos. " 	1.08
Steele's Abridged Physiology.....	.50
Webster's Primary Dictionary.....	.48
Webster's Common School Dictionary.....	.72
Webster's High School Dictionary.....	.98
Webster's Academic Dictionary.....	1.50
Webster's Counting-House Dictionary.....	2.50
James' Southern Selections.....	1.10
Page's Theory and Practice of Teaching.....	1.00

A. WILLIAMS & CO.

North Carolina Speaker. Cloth.....	.50
" " " Paper.....	.40
The North Carolina Spelling-Book.....	.20
Williams' Beginner's Reader.....	.15
Mrs. Spencer's First Steps in N. C. History.....	.75
Moore's History of N. C.....	.85
North Carolina Writing-Books. Per doz.....	1.00

LEACH, SHEWELL & SANBORN.

Brand's Good Health for Children.....	.20
Brand's Health Lessons for Beginners.....	.28

Cobb's North Carolina Wall Map is recommended to committees who may desire to purchase a map under the provisions of section 2555 of the school law. It can be obtained of Messrs. A. Williams & Co., Raleigh, N. C., at \$4.50.

The publishers of Harvey's Grammars and of Harrington's Speller have agreed to take from the merchants all of Reed & Kellogg's Grammars and of Webster's Spellers that are in good condition, and put in their place Harvey's Grammars and Harrington's Spellers; and also to make reasonable exchange rates for the old books that are in the hands of the children. The county board of education, the county superintendent and the teachers will be expected to use all proper means to have the list-books used.

Uniformity will save much of the time of the teachers and will enable them to advance their pupils much faster. Our school terms are very short, but uniformity of text-books will help much to make the schools efficient. For these and other reasons the general assembly have enacted that the books on the list "*shall be used in all the public schools of the state.*"

The publishers have arranged to put the list-books on sale with the University Publishing Co., 66 and 68 Duane street, New York, so that merchants can order all from one house with less trouble than if they were obliged to order separately from each house represented on the list.

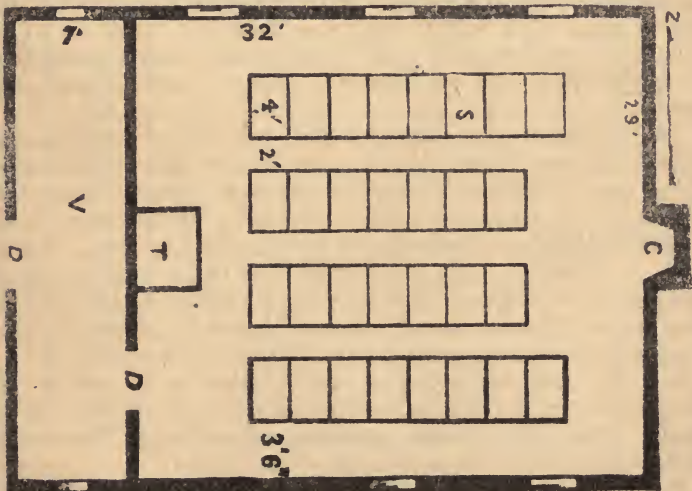
A reasonable profit to merchants is provided for on condition that they buy for cash and sell to the children at the *list contract price for cash*, and the University Publishing Co. will furnish blanks for the conveni-

ence of the merchants in making orders. The boards of education and the county superintendents should secure book-dealers in the different sections of their counties, so that the books may be within easy reach of the children.

Messrs. A. Williams & Co., Raleigh, N. C., have also agreed to sell the books to dealers on favorable terms, and they will also furnish order blanks.

“The North Carolina Spelling-Book” and “Williams’ Reader for Beginners,” published by Alfred Williams & Co., Raleigh, N. C., were adopted with the understanding that the publishers did not wish these books to displace any books on the state list, and did not wish to have the school law requiring the use of books recommended by the state board of education to be enforced as to the “North Carolina Spelling-Book” and “Williams’ Reader for Beginners,” but they desired that any teacher who found a place for these books in a public school might have permission to use them in such place and not to displace other books. They agreed to place the books in the depository with the University Publishing Co., New York, at the prices named in the list.

It will therefore be convenient to obtain the books, and a reasonable profit being provided, there ought to be no difficulty in securing merchants to keep them on sale.



This diagram shows the plan and size of a convenient school-room for 60 pupils seated at double desks. The school-room proper is 32 feet by 29 feet.

A full-sized double desk occupies a floor space equal to 4 feet in front by 2 1/2 feet in rear. The side aisles are 3 1/2 feet wide; inside aisles 2 feet; rear aisle 3 1/2 feet.

Double desks should be placed in every school-house. If the money is not in hand to purchase such as are offered by dealers in school furniture, very inexpensive ones can be made out of boards by any carpenter. Every pupil should not only have a comfortable seat, but every seat ought to have attached to it a writing-desk and a shelf for books.

The plan of the house is easily understood, and bill of lumber can be made out by any workman. It contemplates five (5) windows in main room and two in the vestibule.

C represents location of chimney.

D represents location of doors.

T represents location of teacher.

V represents vestibule, which it is very desirable to have as a place to deposit hats, cloaks, etc.

S represents spaces occupied by the double desks, 4 feet by $2\frac{1}{2}$ feet.

The height of story should not be less than 12 feet; each of the windows in the school-room should contain a glass surface of not less than 6 feet by $2\frac{1}{2}$ feet, and should be placed not less than $3\frac{1}{2}$ feet from the floor.

A chimney and fireplace are advised. The cost is not much more than the cost of a flue running through the roof, and the chimney is much safer. Besides, the chimney is very valuable as a ventilator, and it affords the draft for stove connections, if heating by stove is preferred. The chimney should be built with a separate flue for stove.

In case a stove is used, it should be surrounded, or partly surrounded, by sheet iron to protect the pupils who sit near it from too great direct heat.

THE BOX FRAME is the simplest and cheapest style of building a house of sawed lumber, but it is not so comfortable as the ordinary framed house, weather-boarded and ceiled or plastered. The latter is specially recommended, because the ceiling or plastering furnishes excellent surface for *blackboard*. Perhaps most districts will find *ceiling* cheaper.

The house should be located so that the chimney will be at the *east end*. If it is so located, there will be three windows on the *north* and only two on the *south*, and all favorably placed for pleasant lighting. There are other obvious reasons for placing the house *east and west*.

At a few dollars more expense, the vestibule can be cut into two rooms, one of which may be used for male and the other for female pupils. It is desirable to have at least one private room. This arrangement will require two entrance doors instead of one.

By a little crowding 64 or 68 pupils can be accommodated in a house of this size. If more room is needed, all that is required is to extend the length of the house. Every $2\frac{1}{2}$ feet of extension will make room for 4 desks and 8 pupils.

If it is found desirable to have another room to accommodate more pupils and an assistant teacher, it can be conveniently added to the *east*

end of the house, and the same chimney can be used for stove connections.

But whatever variations from this plan may be deemed advisable, it must ever be remembered that *every pupil must have a comfortable seat and writing facilities connected therewith*. All good methods now recognize that little children must use slates and learn to write while they are learning to spell and read in the elementary books.

FORM OF CONTRACT WITH TEACHER.

This memorandum of an agreement, entered into this....day of....., 18...., between.....,,, committeemen for District No....,race, of.....county, N. C., and.....a teacher holding a.....grade certificate. Witnesseth: That the committee aforesaid agree to employ..... as a teacher of the public school indistrict for.....race of.....county, N. C., and to pay him at the rate of.....dollars per school month while he is conducting said school. And the said.....agrees faithfully to perform all the duties of a public school teacher in said district, and to keep a register according to law, and return it to the school committee at the close of the term.

It is understood that this contract is made subject to the limitations and conditions of the public school law. The length of the term shall be.....months, but the school shall close whenever the apportionment is exhausted.

In witness whereof, the said parties have hereunto set their hands the day and date above written.

	.....	}	Committee.
		
		
Signed in duplicate, each } party keeping a copy. }	.....		Teacher.



I N D E X .

- Apportionment by state treasury, section 2535.
 - by county board, sections 2551, 2552.
- Auditor to keep separate account, section 2536.
 - to make tax-lists, section 9, Law of 1889.
- Blanks to be furnished, section 2570.
- Census, when taken, section 2579.
- Certificate, requisite for, section 2566, section 41, Law of 1889.
- Clerk to furnish list of fines, section 38, Law of 1889.
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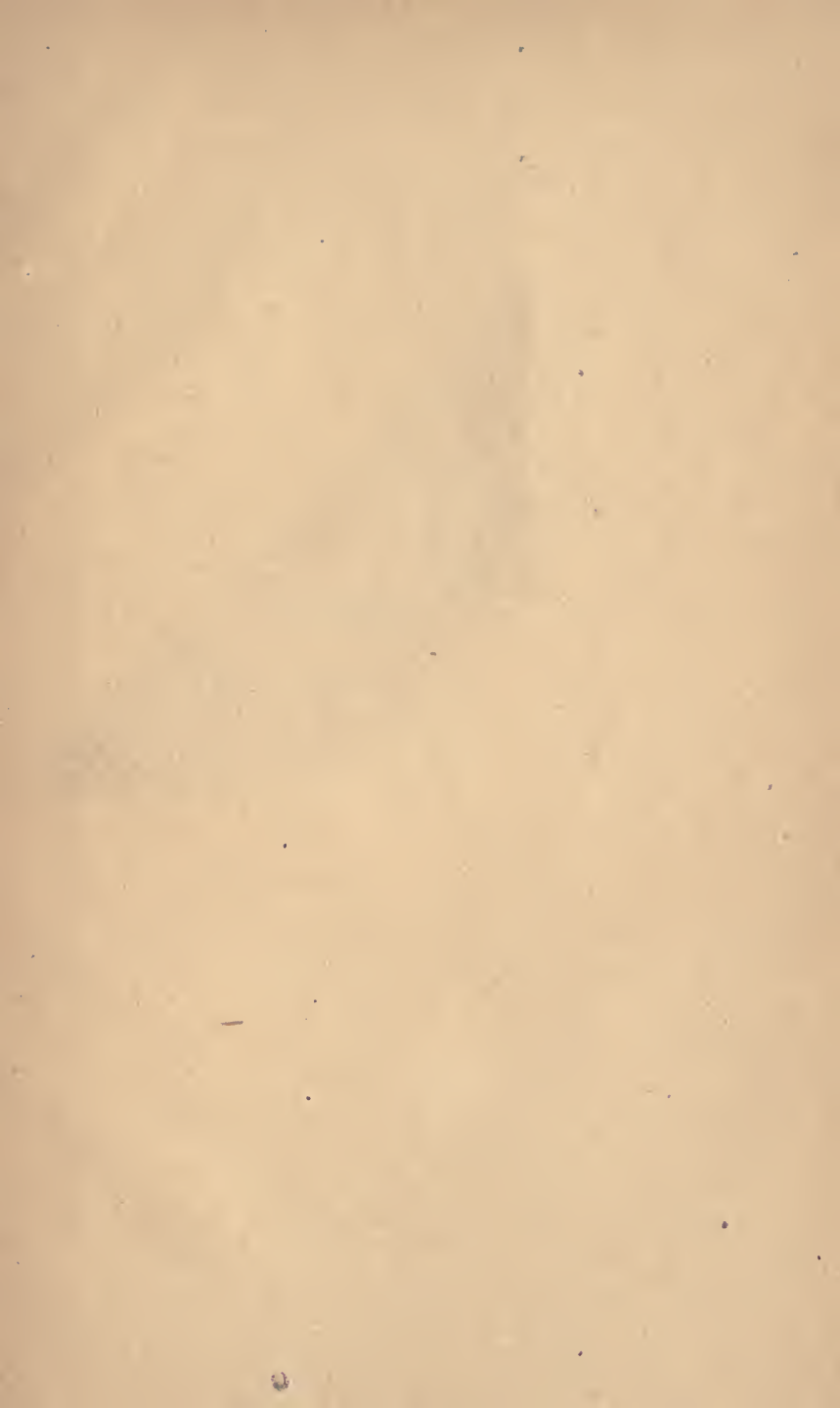
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